

UTILITY

Original U.S. or PCT D/O

DECLARATION, POWER OF ATTORNEY AND POWER TO INSPECT

As a below named inventor, I hereby declare:

that my residence, post office address and citizenship are as stated below next to my name;

that I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the invention entitled: **TRANSGENIC TREES HAVING IMPROVED NITROGEN METABOLISM**

the specification of which [check one(s) applicable]

X was filed August 11, 1999 as International Application No. PCT/US99/18267, on which U.S. PatentApplication No. 09/763,005 is based.

and was amended by Amendment filed _____ (if applicable); [or];

is attached to this Declaration, Power of Attorney and Power to Inspect;

that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Rule 56 (a) [37 C.F.R. §1.56(a)].

CLAIM UNDER 35 USC §119(e): I hereby claim the benefit under 35 USC §119(e) of any United States provisional applications listed below:Provisional Application No.Filing DateDay/Mo/Year

60/096,032

11 August 1998

POWER OF ATTORNEY: As inventor, I hereby appoint **DANN, DORFMAN, HERRELL AND SKILLMAN, P.C.** of Philadelphia, PA, and the following individual(s) as my attorneys or agents with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: **Kathleen D. Rigaut, Ph.D., J.D. Reg. No. 43,047, Maria Kourtakis, Reg. No. 41,126 and Patrick J. Hagan, Reg. No. 27,643**

POWER TO INSPECT: I hereby give **DANN, DORFMAN, HERRELL AND SKILLMAN, P.C.** of Philadelphia, PA or its duly accredited representatives power to inspect and obtain copies of the papers on file relating to this application.

SEND CORRESPONDENCE TO: CUSTOMER NUMBER 000110.**DIRECT INQUIRIES TO: Telephone: (215) 563-4100****Facsimile: (215) 563-4044**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SOLE OR FIRST JOINT INVENTOR

Full Name Edward G. Kirby
First Middle LastSignature Edward G. KirbyDate Feb 26, 2001Residence Basking Ridge New Jersey
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SECOND JOINT INVENTOR (IF ANY)

Full Name Francisco Canovas Ramos
First Middle Last

Signature _____

Date _____

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City State or CountryCitizenship Spain

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City State or Country Zip Code

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SOLE OR FIRST JOINT INVENTOR

SECOND JOINT INVENTOR (IF ANY)

Full Name Edward G. Kirby
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DANN DORFMAN PHILA

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Page 2 of Declaration, Power of Atty. and Power to Inspect

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FIFTH JOINT INVENTOR (IF ANY)

Full Name _____
First Middle Last

Signature _____

Date _____

Residence _____
City State or Country

Citizenship _____

Post Office Address:

City State or Country Zip Code